

23.49.058 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed Commercial upper-level development standards

The provisions of this section apply in DOC 1, DOC 2, and DMC zones. For purposes of this section, a "tower" is a portion of a structure, not including rooftop features that would be permitted above the applicable height limit pursuant to Section [23.49.008](#), in which portion all gross floor area in each story is horizontally contiguous, and which portion is above (i) a height of eighty-five (85) feet in a structure that has any nonresidential use above a height of sixty-five (65) feet or does not have residential use above a height of one hundred sixty (160) feet; or (ii) in any structure not described in clause (i) a height determined as follows:

- (1) For a structure on a lot that includes an entire block front or that is on a block front with no other structures, sixty-five (65) feet; or
- (2) For a structure on any other lot, the height of the facade closest to the street property line of the existing structure on the same block front nearest to that lot, but if the nearest existing structures are equidistant from that lot, then the height of the higher such facade; but in no instance shall the height exceed eighty-five (85) feet or be required to be less than sixty-five (65) feet.

A. The requirements of subsections 23.49.058B and C apply to:

1. All structures one hundred sixty (160) feet in height or less in which any story above an elevation of eighty-five (85) feet above the adjacent sidewalk exceeds fifteen thousand (15,000) square feet. For structures with separate towers, the fifteen thousand (15,000) square foot threshold applies to each tower individually; and
2. Portions of structures in non-residential use above a height of one hundred sixty (160) feet in which any story above an elevation of eighty-five (85) feet exceeds fifteen thousand (15,000) square feet. For structures with separate towers, the fifteen thousand (15,000) square foot threshold applies to each tower individually.

B. Facade Modulation.

1. Facade modulation is required above a height of eighty-five (85) feet above the sidewalk for any portion of a structure located within fifteen (15) feet of a street property line. No modulation is required for portions of a facade set back fifteen (15) feet or more from a street property line.
2. The maximum length of a facade without modulation is prescribed in Table 23.49.058A. This maximum length shall be measured parallel to each street property line, and shall apply to any portion of a facade, including projections such as balconies, that is located within fifteen (15) feet of street property lines.

Table 23.49.058A

Elevation	Maximum length of un-modulated facade within 15' of street property line
0 to 85 feet	No limit
86 to 160 feet	155 feet
161 to 240 feet	125 feet
241 to 500 feet	100 feet
Above 500 feet	80 feet

3. Any portion of a facade exceeding the maximum length of facade prescribed on Table 23.49.058A shall be set back a minimum of fifteen (15) feet from the street property line for a minimum distance of sixty (60) feet before any other portion may be within fifteen (15) feet of the street property line.

C. Upper-level width limit. On lots where the width and depth of the lot each exceed two hundred (200) feet, the maximum facade width for any portion of a building above two hundred forty (240) feet shall be one hundred forty-five (145) feet along the general north/south axis of a site (parallel to the Avenues), and this portion of the structure shall be separated horizontally from any other portion of a structure on the lot above two hundred forty (240) feet by at least eighty (80) feet at all points.

D. Tower floor area limits and tower width limits for portions of structures in residential use. The requirements of this subsection D apply only to structures that include portions in residential use above a height of one hundred sixty (160) feet.

1. Maximum limits on average residential gross floor area per story and maximum residential floor area per story of towers are prescribed in Table 23.49.058D1.

Table 23.49.058D1

Average residential gross floor area per story and maximum residential gross floor area per story of a tower*

(1) Zone	(2) Average residential gross floor area limit per story of a tower if height does not exceed the base height limit for residential use	(3) Average residential gross floor area limit per story of a tower when height exceeds the base height limit for residential use	(4) Maximum residential floor area of any story in a tower
DMC 240/290-400 and DMC 340/290-400	10,000 sq. ft.	10,700 sq. ft.	11,500 sq. ft.
DOC2	15,000 sq. ft.	12,700 sq. ft.	16,500 sq. ft.
DOC1	15,000 sq. ft.	13,800 sq. ft.	16,500 sq. ft.

*For the height at which a "tower" begins, see the definition at the beginning of this Section 23.49.058.

a. For structures that do not exceed the base height limit for residential use, each tower is subject to the average floor area per story limits specified in column (2) on Table 23.49.058D1.

b. For structures that exceed the base height limit for residential use (which requires that the applicant obtain bonus residential floor area pursuant to Section [23.49.015](#)), the average residential gross floor area per story of each tower is subject to the applicable maximum limit specified in column (3) on Table 23.49.058D1.

c. In no instance shall the residential gross floor area of any story in a tower exceed the applicable maximum limit specified in column (4) on Table 23.49.058D1.

d. Unoccupied space provided for architectural interest pursuant to Section [23.49.008B](#) shall not be included in the calculation of gross floor area.

2. Maximum Tower Width.

a. In DMC zones, the maximum facade width for portions of a building above eighty-five (85) feet along the general north/south axis of a site (parallel to the Avenues) shall be one hundred twenty (120) feet or eighty (80) percent of the width of the lot measured on the Avenue, which ever is less, except that:

- (1) On a lot where the limiting factor is the eighty (80) percent width limit, the facade width is one hundred twenty (120) feet, when at all elevations above a height of eighty-five (85) feet, no more than fifty (50) percent of the area of the lot located within fifteen (15) feet of the street lot line(s) is occupied by the structure; and
- (2) On lots smaller than ten thousand seven hundred (10,700) square feet that are bounded on all sides by street right-of-way, the maximum facade width shall be one hundred twenty (120) feet.

b. In DOC1 and DOC2 zones, the maximum facade width for portions of a building above eighty-five (85) feet along the general north/south axis of a site (parallel to the Avenues) shall be one hundred forty-five (145) feet.

c. The projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating the maximum width of a facade.

E. Tower spacing for all structures over one hundred sixty (160) feet in height in those DMC zoned areas specified below:

1. For the purposes of this section, no separation is required:
 - a. between structures on different blocks, except as may be required by view corridor or designated green street setbacks, or
 - b. from a structure on the same block that is not located in a DMC zone; or
 - c. from a structure allowed pursuant to the Land Use Code in effect prior to the effective date of Ordinance 122054.
2. Except as otherwise provided in this subsection E, in the DMC 240'/290-400' zone located between Stewart Street, Union Street, Third Avenue and First Avenue, if any part of a tower exceeds one hundred sixty (160) feet in height, then all portions of the tower that are above one hundred twenty-five (125) feet in height shall be separated by a minimum of two hundred (200) feet from any portion of any other existing tower above one hundred twenty-five (125) feet in height.
3. Except as otherwise provided in this subsection E, on DMC zoned sites with maximum height limits of more than one hundred sixty (160) feet located either in the Belltown Urban Center Village, as shown on Exhibit 23.49.058E, or south of Union Street, if any part of a tower exceeds one hundred sixty (160) feet in height, then all portions of the tower that are above one hundred twenty-five (125) feet in height must be separated by a minimum of eighty (80) feet from any portion of any other existing tower above one hundred twenty-five (125) feet in height.
4. Except as otherwise provided in this subsection E, on DMC zoned sites with maximum height limits of more than one hundred sixty (160) feet located in the Denny Triangle Urban Center Village, as shown on Exhibit [23.49.056F](#), if any part of a tower exceeds one hundred sixty (160) feet in height, then all portions of the tower that are above one hundred twenty-five (125) feet in height must be separated by a minimum of sixty (60) feet from any portion of any other existing tower above one hundred twenty-five (125) feet in height.
5. The projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating tower separation.
6. If the presence of an existing tower would preclude the addition of another tower proposed on the same block, as a special exception, the Director may waive or modify the tower spacing requirements of this section to allow a maximum of two (2) towers to be located on the same block that are not separated by at least the minimum spacing required in subsections E2, E3 and E4, other than towers described in subsection E1. The Director shall determine that issues raised in the design review process related to the presence of the additional tower have been adequately addressed before granting any exceptions to tower spacing standards. The Director shall consider the following factors in determining whether such an exception shall be granted:
 - a. potential impact of the additional tower on adjacent residential structures, located within the same block and on adjacent blocks, in terms of views, privacy, and shadows;
 - b. potential public benefits that offset the impact of the reduction in required separation between towers, including the provision of public open space, designated green street or other streetscape improvements, preservation of landmark structures, and provision of neighborhood

- commercial services, such as a grocery store, or community services, such as a community center or school;
- c. potential impact on the public environment, including shadow and view impacts on nearby streets and public open spaces;
- d. design characteristics of the additional tower in terms of overall bulk and massing, facade treatments and transparency, visual interest, and other features that may offset impacts related to the reduction in required separation between towers;
- e. the City's goal of encouraging residential development downtown; and
- f. the feasibility of developing the site without an exception from the tower spacing requirement.

7. For purposes of this section, an "existing" tower is either:

- (a) a tower that is physically present, except as provided below in this subsection E6, or
- (b) a proposed tower for which a Master Use Permit decision that includes approval of the Design Review element has been issued, unless and until either (i) the Master Use Permit issued pursuant to such decision expires or is cancelled, or the related application is withdrawn by the applicant, without the tower having been constructed; or (ii) a ruling by a hearing examiner or court of competent jurisdiction reversing or vacating such decision, or determining such decision or the Master Use Permit issued thereunder to be invalid, becomes final and no longer subject to judicial review.

A tower that is physically present shall not be considered "existing" if the owner of the lot where such tower is located shall have applied to the Director for a permit to demolish such tower and such application shall be pending or a permit issued for such demolition shall be in effect, but any permit decision or permit for any structure that would not be permitted under this section if such tower were considered "existing" may be conditioned upon the actual demolition of such tower.

F. Upper Level Setbacks.

- 1. When a lot in a DMC zone is across a street from the Pike Place Market Historical District as shown on Map 1K, a continuous upper-level setback of fifteen (15) feet shall be provided on all street frontages across from the Historical District above a height of sixty-five (65) feet.
- 2. When a lot in a DMC or DOC2 zone is located on a designated green street, a continuous upper-level setback of fifteen (15) feet shall be provided on the street frontage abutting the green street at a height of forty-five (45) feet.

G. Structure Separation Requirements for Mid-Block Corridors in a DMC Zone in South Downtown. On a lot in a DMC zone in South Downtown, the following standards apply:

- 1. At all levels above 45 feet and up to 85 feet in height, structures separated by a mid-block corridor must be separated at all points by a minimum horizontal distance of 45 feet, unless subsection 23.49.058.G.3 applies.
- 2. At all levels above 85 feet in height, structures separated by a mid-block corridor must be separated at all points by a minimum horizontal distance of 55 feet, unless subsection 23.49.058.G.3 applies.
- 3. If a mid-block corridor abuts a side lot line that is not a street lot line, at all levels above 45 feet structures on that lot must set back from that side lot line at all points by a minimum horizontal distance of 45 feet.

(Ord. [123589](#) , § 23, 2011; Ord. [123046](#) , § 65, 2009; Ord. [122235](#) , § 9, 2006; Ord. [122054](#) § 46, 2006; Ord. [120967](#) § 7, 2003; Ord. [120443](#) § 28, 2001; Ord. [119728](#) § 5, 1999; Ord. 112519 § 10, 1985; Ord. 112303 § 3(part), 1985.)